REMARKS

The March 18, 2004 Office Action has been received and its contents carefully considered. Claims 1-16 are pending in the present application. For the reasons set forth below, the claims are believed to be in condition for allowance.

I. THE CLAIMS DEFINE PATENTABLE SUBJECT MATTER

The Office Action rejects claims 1-16 under 35 U.S.C. § 103(a) as being unpatentable over Day, III et al. (U.S. Patent No. 6,185,580), in view of Crawford (U.S. Patent No. 6,411,943). This rejection is respectfully traversed. The Examiner is respectfully requested to reconsider the asserted rejection based on the remarks set forth below.

Claim 1 recites a method for converting a plurality of data files and associated information from a first file format to a second file format comprising the steps of: *extracting* at least one data file from at least one first format file server, wherein the at least one data file includes a first format image portion and a first format work information portion; *converting* the first format image portion of the at least one data file to a second format image portion; *converting* the first format work information portion of the at least one data file to a second format work information image portion; *creating a second format data file* including both the second format image portion and the second format work information image portion; and *importing* the second format data file into a second format file server.

Accordingly, the features of claim 1 clearly relate to extracting a data file, converting portions of a data file, creating a second format data file, and *importing* the second format data file into a second format file server. These features recite a claimed invention that is fundamentally different than the teachings of Day. Further, claim 1 recites the particulars

associated with a first format image portion and a first format work information portion, as was discussed in Applicant's prior response.

To explain, in the Abstract for example, Day describes a file translation system and a physical information and extensions file for an intermediary controller. Day teaches the file translation system allows a host computer to directly access data from a different host type *without moving* the actual data.

Further, in column 2, lines 3-17, Day further teaches that the Day invention provides a file translation system that allows a host computer to directly access data from a different host type *without moving* the actual data and a physical information and extension file for providing information concerning the location of data and the file system the host is viewing. Day further teaches that the disclosed system includes an intermediary controller disposed between a legacy disk controller for an originating host of a first type and an open system host, the intermediary controller emulating a virtual storage device using a virtual device file system, the virtual device file system *mapping* data stored in a storage device by the originating host to objects in a root directory in the virtual device file system. Also, in column 3, lines 53-58, Day describes use of a physical information and extension file for providing information concerning the location of data and the file system the host is viewing.

Of further interest, Day teaches in column 4, lines 12-26, that Fig. 2 illustrates a storage system 200. In Fig. 2, an open system host 210 is able to retrieve data from direct access storage devices (DASD) 230, 232, 234. The data on direct access storage devices (DASD) 230, 232, 234 is from originating host 212. Originating host is typically connected to the legacy disk controller

220 via an Enterprise System Connection (ESCON) 282. An intermediary controller 250 is also connected to the legacy disk controller 220 via an ESCON connection 284. The intermediary controller 250 provides a means whereby the open system host 210 can access data on storage devices 230, 232, 234 by controlling legacy disk controller 220. The intermediary controller 250 includes a physical information and extension (PIE) file 290.

Accordingly, the teachings of Day do not teach or suggest the claimed features as recited in claim 1, including the features relating to extracting, converting and importing of data files, for example. Rather, Day relates to mapping data in a virtual device file system. As should be appreciated, the teachings of Day and the claimed invention are fundamentally different.

The Office Action, at various points, attempts to characterize Day as converting data files or performing a conversion on data files. It is submitted that this interpretation is without support. Rather, Day teaches what he refers to as a virtual system in which moving the actual data is avoided. Day simply does not perform a "conversion" of data files as suggested in the Office Action.

In the Office Action, the Examiner points out that Day discloses a file translation system [e.g., Fig. 2] that translates physical files of first format [e.g., 400, Fig. 4] into a Physical Information and Extension (PIE) File [e.g., 600, Fig. 6] of a second format via a Virtual device file system [500, Fig. 5], wherein, the virtual file clearly comprising both the image portions [e.g., the units: 550-570, Fig. 5] and the work portions [e.g., the units: 510-544, 580-590, Fig. 5]. The teachings of Day and Fig. 2 of Day are discussed above. Applicant submits that the teachings of Fig. 2 relate simply to the retrieval of data from a storage device. These teachings

fall far short of the features of claim 1 relating to extracting a data file, converting portions of a data file, creating a second format data file, and *importing* the second format data file into a second format file server. In particular, the "creating a second format data file," as claimed, would be in conflict with Day's emphasis on "not moving" actual data.

With regard to Fig. 5, Day describes that FIG. 5 illustrates a virtual device file system 500 for ***translating the physical location of data*** on the disks into a layout seen by the open system host. In FIG. 5, the virtual device file system 500 includes metadata 510, e.g., the PIE file, and a root directory file 520 having an entry for a sub-directory 522 referred to as sub-dir and a PIE file sub-directory 524 referred to as a PIE file sub-dir. The sub-dir 522 in the root directory file 520 points to a sub-dir file 530 which includes a list of files in the disk drives. The files are illustrated as being object 1532, object 2534, and object 3536. Each of the objects 532, 534, 536 point to corresponding virtual nodes (VNODEs or INODEs) 540, 542, 544. The INODEs 540, 542, 544 actually point to the location of the data 550, 560, 570 of the file. Day further illustratively describes that the PIE file sub-dir 524 in the root directory file 520 points to a PIE VNODE 580, and that the PIE VNODE 580 then points to the location of the PIE data 590. Such teachings further illustrate the focus of Day as relating to data storage systems, and more particularly to a physical information and extensions file and a file system translator. Such teachings of Day are fundamentally different than the claimed invention.

As a further note, as discussed above, Day describes that FIG. 5 illustrates a virtual device file system 500 for ***translating the physical location of data*** on the disks into a layout seen by the open system host, as described in column 4, lines 53-66. Such disclosure is

illustrative in that Day is describing effecting translating related to the physical location of the data. This "translating" of Day cannot fairly be interpreted so as to teach features of claim 1 relating to the extracting, converting, creating a second format data file, and importing of claim 1. In short, Day relates to "mapping" and not the fundamentally different processing as recited in claim 1.

The Office Action relies on 35 U.S.C. §103 and the further teachings of Crawford. The Office Action maintains the position that Crawford discloses applying a verification program (e.g. the Boot Customer Computer program (502-507), Fig. 10), for ensuring that the conversion made by a file extraction server is completed without error, e.g. see col. 32, lines 3-9; Fig(s). 10-11 and associated texts.

Applicant respectfully submits that there is no support for such interpretation, as alleged in the Office Action. As discussed in Applicant's prior response, such disclosure of Crawford simply relates to the validation of access requests. As easily appreciated, such disclosure is fundamentally different than a conversion verification program designed to ensure accurate conversion of files from one format to another, as recited in the present claims. That is, the disclosed Replica System program of Crawford is a security program designed to validate requests for disk access (see col. 32, lines 3-5).

For at least these reasons, Applicant respectfully submits that all claims 1-16 are allowable over the cited references. Timely issuance of a Notice of Allowance is thereby requested.

II. CONCLUSION

Applicant respectfully submits that the application, as amended, is in condition for allowance. If the Examiner believes that prosecution might be advanced by discussing the application with Applicants' counsel, in person or over the telephone, we would welcome the opportunity to do so.

In the event any fees are due, the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

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